

## Message Text

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ACTION ARA-20

INFO OCT-01 ADP-00 IO-13 SSO-00 NSCE-00 USIE-00 INRE-00

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FM AMEMBASSY LIMA

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INFO ALL OAS CAPITALS PRIORITY 43

USUN NEW YORK PRIORITY 396

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E.O. 11652: N/A

TAGS: PFOR, OAS

SUBJ: OAS SPECIAL COMMITTEE: WRAP-UP OF SUBCOMMITTEE  
I WORK

SUMMARY: SUBCOMMITTEE ON JURIDICAL-POLITICAL-PRINCIPLES-OBJECTIVES DEVOTED LARGER PORTION OF ITS FOUR WORKING SESSIONS TO PRELIMINARY SPARRING OVER MEXICAN AND PERUVIAN PROPOSALS FOR REVISING RIO TREATY. ALTHOUGH PERUVIANS SOUGHT TO GAIN INITIATIVE, THEY WERE OUT-MANEUVERED BY MEXICANS WHO PRESENTED CLEAR-CUT, LESS RADICAL LIST OF PROPOSED AMENDMENTS TO TREATY. PROPONEMTS OF CHANGE RAN INTO STIFF OPPOSITION, AND BOTH MEXICANS AND PERUVIANS WERE OBLIGED TO WATER DOWN THEIR POSITIONS SOMEWHAT. REAL BATTLE REMAINS AHEAD IN WASHINGTON, HOWEVER. END SUMMARY.

1. FIRST SUBCOMMITTEE (JURIDICAL-POLITICAL/PRINCIPLES-OBJECTIVES) ELECTED DE LA COLINA (MEX) CHAIRMAN, JOVA (U.S.) VICE CHAIRMAN, AND JONES (HON) RELATOR, THEN GOT OFF TO SLOW START DUE TO JURISDICTIONAL OVERLAP WITH GENERAL SUBCOMMITTEE ON CONSIDERATION OF PRINCIPLES AND LIMITED OFFICIAL USE

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OBJECTIVES. MEXICAN DEL GAINED AND KEPT INITIATIVE IN

SUBSEQUENT SESSIONS, SOMEWHAT TO DISCOMFORT OF PERUVIAN HOSTS, AND MOST DISCUSSIONS FOCUSED ON TWO MEXICAN PAPERS PROPOSING AMENDMENTS TO OAS CHARTER AND RIO TREATY.

2. MORE OR LESS BY ACCIDENT, FIRST FOCAL POINT OF DISCUSSION WAS MEXICO'S PROPOSED AMENDMENT TO CHARTER ARTICLE 23 GUARANTEEING RIGHT OF RECOURSE TO U.N. SECURITY COUNCIL "AT ANY TIME". VENEZUELA (GARCIA BUSTILLOS) LAUNCHED VIGOROUS BUT SINGLE-HANDED ATTACK AGAINST PROPOSAL, ARGUING IT WOULD HOPELESSLY UNDERMINE REGIONAL MECHANISMS FOR PEACEFUL SETTLEMENT OF DISPUTES. PANAMA, HONDURAS, AND PERU DEFENDED THE MEXICAN IDEA ARGUING THIS WAS A RIGHT STATES ENJOYED ANYWAY UNDER ARTICLE 52.4 OF THE U.N. CHARTER. NO CONCLUSIONS WERE DRAWN, AND MOST OTHER MEMBERS BEGGED OFF SAYING FONMINS WOULD HAVE TO STUDY.

3. RETAINING INITIATIVE, MEXICO THEN INTRODUCED DETAILED LIST OF PROPOSED AMENDMENTS TO RIO TREATY WITH LENGTHY EXPOSITION ON PRESERVING TREATY'S FUNDAMENTAL UTILITY BY EXCISING ITS COLD WAR ASPECTS. PERU, CAUGHT WITH PANTS DOWN, CHIMED IN TO SAY IT COULD GO ALONG WITH MEXICAN PROPOSALS BUT HAD ITS OWN IDEAS ON RIO TREATY WHICH WENT SOMEWHAT FURTHER: TREATY SHOULD AIR PRIMARILY AT CURBING ECONOMIC AGGRESSION AND SHOULD OTHERWISE LIMIT ITSELF TO ARMED INTRA-HEMISPHERIC ATTACKS, LEAVING EXTRA-HEMISPHERIC PROBLEMS TO U.N. FORUM.

4. ALTHOUGH PERU FINALLY GOT ITS OWN PAPER ON RIO TREATY CIRCULATING, MEXICAN PROPOSALS KEPT CENTER STAGE AS ECUADOR (LEORO) EXAMINED THEM CRITICALLY AND IN DETAIL. WHILE ACCEPTING MUCH OF MEXICAN INITIATIVE, ECUADOR WORRIED THAT IT WENT TOO FAR IN WEAKENING REGIONAL MECHANISM, IN DETRACTING FROM PREVENTIVE ASPECTS, IN OBSCURING DEFINITION OF AGGRESSION, AND IN DILUTING OBLIGATORY CHARACTER OF SANCTIONS. ECUADOR'S THOUGHTFUL AND GENERALLY HELPFUL ANALYSIS WAS LATER PUBLISHED AS WORKING DOCUMENT, BY POPULAR DEMAND.

5. IN FINAL COMMITTEE WORKING SESSION, GUATEMALA (CASTILLO) DEFENDED TREATY AND REGIONAL SECURITY SYSTEM AS ESSENTIAL LIMITED OFFICIAL USE

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IN U.N. PEACEKEEPING MECHANISM UNDER ITS CHARTER ARTICLES 34-35. SINCE RIGHT OF RECOURSE TO U.N. SYSTEM WAS INHERENT, GUATEMALA DOUBTED IT WAS NECESSARY TO SPELL OUT THAT RIGHT IN TREATY AMENDMENT. WAS EVEN MORE DOUBTFUL OF AMENDING ARTICLE 8 TO REQUIRE SECURITY COUNCIL'S PRIOR AUTHORIZATION BEFORE APPLYING SANCTIONS. IF WORLD FORUM WAS SAFEGUARD AGAINST ABUSES OF REGIONAL SYSTEM, CASTILLO ASKED, WHY HAD IT FAILED TO ACT TO CORRECT ALLEGED PAST ABUSES OF

RIO TREATY?

6. COSTA RICA (SALAZAR) ALSO OBJECTED TO RELYING SO HEAVILY ON UNSC AND NOTED THAT GREAT POWER VETO THERE WOULD WORK TO LATIN'S DETRIMENT. U.S. (JOVA) PRESENTED PAPER AIMED AT CORRECTING ASSERTIONS THAT TREATY WAS MADE-IN-USA TO ADVANCE ITS OWN COLD WAR INTERESTS. PERU (BELAUNDE) CONCEDED U.S. READING OF TREATY'S HISTORY WAS ACCURATE AND THAT IT HAD HELPED MAINTAIN PEACE IN HEMISPHERE, BUT COUNTERED IT HAD BEEN DISTORTED FOR COLD WAR PURPOSES AND NOW SHOULD BE REVAMPED TO SERVE LATIN DEVELOPMENTAL PURPOSES. ECUADOR MADE ONE MORE PITCH FOR MAINTAINING TREATY'S VITALITY, INCLUDING CASES OF AGGRESSION FALLING SHORT OF ARMED ATTACK. PANAMA (PITTY) ENDED SUB-COMMITTEE'S DEBATE BY DECLARING TREATY WOULD HAVE TO BE CHANGED TO REFLECT END OF COLD WAR AND PATERNALISM, SINCE PEOPLE AND NATIONS THEMSELVES EVIDENTLY NOT PREPARED TO CHANGE THEIR OLD HABITS.

7. COMMENT: SUBCOMMITTEE DID LITTLE MORE THAN SCRATCH SURFACE OF ITS EXHAUSTIVE AGENDA, AND TRENDS OF THINKING WERE DIFFICULT TO IDENTIFY. RELATIVELY FEW WHO SPOKE DIVIDED INTO THREE GROUPS IN TERMS OF CHANGE: RADICALS, MODERATES AND CONSERVATIVES--BUT THERE WAS LITTLE DOUBT THAT SOME CHANGE, BOTH IN CHARTER AND TREATY, WAS IN THE AIR.  
BELCHER

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## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** n/a  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 15 JUL 1973  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Authority:** golinofr  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
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**Executive Order:** N/A  
**Errors:** N/A  
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**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 3  
**Previous Channel Indicators:**  
**Previous Classification:** LIMITED OFFICIAL USE  
**Previous Handling Restrictions:** n/a  
**Reference:** n/a  
**Review Action:** RELEASED, APPROVED  
**Review Authority:** golinofr  
**Review Comment:** n/a  
**Review Content Flags:**  
**Review Date:** 23 JAN 2002  
**Review Event:**  
**Review Exemptions:** n/a  
**Review History:** RELEASED <23-Jan-2002 by smithrj>; APPROVED <13 FEB 2002 by golinofr>  
**Review Markings:**

Declassified/Released  
US Department of State  
EO Systematic Review  
30 JUN 2005

**Review Media Identifier:**  
**Review Referrals:** n/a  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** OAS SPECIAL COMMITTEE: WRAP-UP OF SUBCOMMITTEE I WORK  
**TAGS:** PFOR, OAS  
**To:** STATE  
**Type:** TE  
**Markings:** Declassified/Released US Department of State EO Systematic Review 30 JUN 2005